

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA | ) |                               |
|                          | ) | Case No. 4:17-cr-50           |
| v.                       | ) |                               |
|                          | ) | Judge Travis R. McDonough     |
| STEVEN L. POWERS         | ) |                               |
|                          | ) | Magistrate Judge Susan K. Lee |
|                          | ) |                               |

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**ORDER**

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Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count Five of the six-count Indictment; (2) accept Defendant's guilty plea as to Count Five; (3) adjudicate the Defendant guilty of Count Five; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) order that Defendant remain in custody until sentencing in this matter (Doc. 18). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 18) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count Five of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Five is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count Five;
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

5. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **August 10, 2018 at 2:00 p.m. [EASTERN]** before the undersigned.

**SO ORDERED.**

*/s/Travis R. McDonough*

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**